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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
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NAME OF PERSON MAILING PAPER OR FEE
(TYPE OR PRINT) Kathy Taylor
SIGNATURE Kathy Taylor

Attorney Docket No.: PG3717

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Catchpole, et al. July 17, 2002

Serial No.: 10/019,800 Group Art Unit No.: Unknown

Filed: January 4, 2002 Examiner: Unknown

For: DNA Constructs Based On The eIF4A Gene Promoter

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825****BOX SEQUENCE**

Assistant Commissioner for Patents
Washington, D.C. 20231

(X) I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.

() I hereby state that the submission filed in accordance with 37 CFR §1.821 (g) does not include new matter.

() I hereby state that the submission filed in accordance with 37 CFR §1.821 (h) does not include new matter or go beyond the disclosure in the international application as filed.

() I hereby state that the amendments, made in accordance with 37 CFR §1.825 (a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages _____. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.

Serial No.: 10/019,800
Group Art Unit No.: Unknown

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, is identical to that originally filed.

Respectfully submitted,



William R. Majarian
Attorney for Applicants
Registration No. 41,173

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Document⁴

Form PTO 1390, U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER PG3717
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/019,800
INTERNATIONAL APPLICATION NO. PCT/GB00/02569	INTERNATIONAL FILING DATE 05 July 2000	PRIORITY DATE CLAIMED 06 July 1999
TITLE OF INVENTION DNA Constructs Based On The eIF4A Gene Promoter		
APPLICANT(S) FOR DO/EO/US Ian Richard CATCHPOLE, Martin James FORD, David Robert GREAVES, and Lindy THOMSEN		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
14. A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. Please amend the specification by inserting before the first line the sentence:
16. A substitute specification.
17. A change of power of attorney and/or address letter.
18. An Abstract on a separate sheet of paper.
19. Other items or information: Sequence Listing.

US APPLICATION NO. (if known see 37 CFR 1.50) 09/077,263	INTERNATIONAL APPLICATION NO. PCT/GB00/02569	ATTORNEYS DOCKET NO. PG3717		
20. [X] The following fees are submitted:		CALCULATIONS PTO USE ONLY		
() one month extension..... \$ 110 () two months extension..... \$ 400 (x) three months extension..... \$ 920 () four months extension (not beyond statutory time period)..... \$1,440 () fifth month extension..... \$1,960		\$920.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$920.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00		
Claims	Number Filed	Number Extra	Rate	
Total claims	- 20 =	0	0 x \$18.00	\$0.00
Independent claims	- 3 =	0	0 x \$84.00	\$0.00
Multiple dependent claims (if applicable)		+ \$280.00		\$0.00
TOTAL OF ABOVE CALCULATIONS =		\$1050.00		
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		\$		
SUBTOTAL =		\$1050.00		
Processing fee of \$130.00 for furnishing the English translation later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +		\$		
TOTAL NATIONAL FEE =		\$1050.00		
		Amount to be refunded	\$	
		charged	\$	

- a. A check in the amount of \$____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 19-2570 in the amount of **\$1,050.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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SIGNATURE

William R. Majarian
 NAME
 41,173
 REGISTRATION NO.

JL

CC: MJWD



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,800	Ian Richard Catchpole	PG3717
INTERNATIONAL APPLICATION NO.		
PCT/GB00/02569		
I.A. FILING DATE		PRIORITY DATE
07/05/2000		07/06/1999
CONFIRMATION NO. 7658		
371 FORMALITIES LETTER		
 *OC000000007605091*		

WRM
Date Mailed: 03/13/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

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INDEXED
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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,800	PCT/GB00/02569	PG3717

PTO PCT Rec'd 17 JUL 2002

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PATENT
ATTORNEY'S DOCKET NUMBER PG3717

TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE
(DO/EO/US) – CONCERNING A FILING UNDER 35 U.S.C 371

INTERNATIONAL APP. NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED
PCT/GB00/02569 05 July 2000 06 July 1999

TITLE OF INVENTION

DNA Constructs Based On The eIF4A Gene Promoter

APPLICANT(S) FOR DO/US

Ian Richard CATCHPOLE, Martin James FORD, David Robert GREAVES, and Lindy THOMSEN

Box PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTENTION: DO/US

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date July 17, 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV104999109US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Kathy Taylor
(Typed or printed name of person mailing paper)

Kathy Taylor
(Signature of person mailing paper)



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PATENT TRADEMARK OFFICE